

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CLAYTON MOORE,

Plaintiff,

v.

Case No. 11-CV-720

**WAUKESHA COUNTY SHERIFF,
and LT. ACHENSON,**

Defendants,

ORDER

The plaintiff, Clayton Moore, who is proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Pursuant to the Prison Litigation Reform Act, the plaintiff is required to pay the statutory filing fee of \$350.00 for this action. See 28 U.S.C. § 1915(b)(1). On August 26, 2011, I ordered the plaintiff to forward to the Clerk of Court by October 10, 2011 the sum of \$17.57 as an initial partial filing fee in this action. The plaintiff has not paid this partial filing fee, and I infer that the plaintiff no longer wants to prosecute this action. Therefore, I will dismiss this case without prejudice.

IT IS THEREFORE ORDERED that this action be and hereby is dismissed without prejudice for failure to prosecute.

IT IS ALSO ORDERED that a copy of this order be sent to the warden of the institution where the inmate is confined.

Dated at Milwaukee, Wisconsin, this 4th day of November 2011.

s/

LYNN ADELMAN
District Judge